

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 21, 2015 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Scot M. Allgood, Jared L. Clawson, and Martin Felix were present.

EXCUSED: Councilmembers Aaron Woolstenhulme and Paul C. James

CALL TO ORDER: There being three members present and three members representing a quorum, Mayor Miller called the meeting to order.

OTHERS PRESENT: City Administrator Ron Salvesen, and ten citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Miller welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: Councilmember Clawson led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Mayor Miller

APPROVAL OF MINUTES:

The minutes of May 7, 2015 were approved as written.

ACTION Councilmember Clawson made a motion to approve the minutes of a regular City Council Meeting on May 7, 2015 as written. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

ACTION Councilmember Clawson made a motion to approve the agenda for May 21, 2015 as published. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

AGENDA

8. PUBLIC COMMENT
9. PUBLIC HEARING:
 - A. To discuss the project determined to be applied for in the 2015 CDBG Small Cities Program as follows: Improvements for the Child and Family Support Center's Hyrum Center in the amount of \$100,000 for facility improvements and site development, sidewalks, lighting, landscaping, and parking lot development.
10. SCHEDULED DELEGATIONS:
 - A. Dan Larsen - To request preliminary plat approval for Sawmill Crossing Subdivision, a 13 lot single family subdivision located at approximately 1000 East and Hyrum Boulevard, Hyrum.
 - B. Norman Larsen, CarSmart Automotive Repair - To request site plan approval for an automotive repair business at 45 South 800 East, Hyrum.
 - C. Roy Savage - To request concept plan approval for Hidden Valley Subdivision, a 43 lot single family subdivision located at approximately 85 South 650 West, Hyrum.
11. INTRODUCTION AND ADOPTION OF ORDINANCES:
 - A. Ordinance 15-03 - An ordinance amending Sections 16.10.080, 16.10.090, 16.16.030, 16.16.120, 16.16.140, 16.20.015, 16.20.020, 16.20.030, 16.20.170, and 16.28.020 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code as follows: to no longer require a mandatory site visit for proposed subdivisions; removal of the requirement for a public hearing to be held on all new subdivisions; remove the City Attorney and County Surveyor signature blocks on a subdivision mylar; reduce the amount of a subdivision warranty bond; to provide conditions when a subdivision construction bond is required; and to allow the City Council to extend the requirement for a subdivision being developed in phases to obtain final plat within two years of approval of the previous page.
 - B. Ordinance 15-04 - An ordinance amending Sections 17.24.040, 17.24.050, 17.28.030, 17.28.040, 17.30.030, 17.30.040, 17.38.030, 17.38.040, 17.44.150, 17.44.160, 17.45.250 and 17.45.260 of Title 17 (the Zoning Ordinance) of the Hyrum City Municipal Code to reduce the front and rear setbacks on residential lots to 25 feet.
12. OTHER BUSINESS:
 - A. Tentative adoption of the 2015-2016 Operating Budgets and setting a date for a public hearing.
Adoption
 - B. Mayor and City Council reports.

13. ADJOURNMENT

PUBLIC COMMENT:

Mayor Miller said if a citizen has a question or would like to make a comment to please keep it under three minutes.

No public comment was given.

PUBLIC HEARING:

TO DISCUSS THE PROJECT DETERMINED TO BE APPLIED FOR IN THE 2015 CDBG SMALL CITIES PROGRAM AS FOLLOWS: IMPROVEMENTS FOR THE CHILD AND FAMILY SUPPORT CENTER'S HYRUM CENTER IN THE AMOUNT OF \$100,000 FOR FACILITY IMPROVEMENTS AND SITE DEVELOPMENT, SIDEWALKS, LIGHTING, LANDSCAPING, AND PARKING LOT DEVELOPMENT.

Mayor Miller said she would accept a motion to open the second public hearing for the Community Development Block Grant program. This hearing is being called to allow all citizens to provide input concerning the projects awarded under the 2015 CDBG program.

Hyrum City has agreed to apply on behalf of the Child & Family Support Center and has amended its regional Capital Improvement List to include this project. The application was successful in the regional rating and ranking process and Child & Family Support Center will receive \$100,000 to finish the exterior of their Hyrum service center.

Gordon Yonker with the Child Family Support Center said this is the third grant application for the Child Family Support Center in Hyrum. The first grant helped pay for the Child Family Support Center building in Hyrum, the second grant paid for furnishings, and this third grant will help pay for the parking lot, and landscaping with possibly enough money to finish some of the basement. The Child Family Support Center will be named after Norma Miller whose family made a large donation to the center.

ACTION

Councilmember Clawson made a motion to at 6:41 p.m. to open the public hearing to discuss projects determined to be applied for in the 2015 CDBG Small Cities Program as follows: improvements for the Child and Family Support Center's Hyrum Center in the amount of \$100,000 for facility improvements and site development, sidewalks, lighting, landscaping, and parking lot development. Councilmember Felix seconded the motion and Councilmembers Allgood, Clawson, and

Felix voted aye. The motion passed.

Mayor Miller said copies of the Capital Improvement List will be available on the Hyrum City Website or by request. She then asked for any public comment.

There being no public comment Mayor Miller called for a motion to close the public hearing.

ACTION

Councilmember Clawson made a motion to at 6:42 p.m. to close the public hearing discussing projects determined to be applied for in the 2015 CDBG Small Cities Program as follows: improvements for the Child and Family Support Center's Hyrum Center in the amount of \$100,000 for facility improvements and site development, sidewalks, lighting, landscaping, and parking lot development. Councilmember Felix seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

SCHEDULED DELEGATIONS:

DAN LARSEN - TO REQUEST PRELIMINARY PLAT APPROVAL FOR SAWMILL CROSSING SUBDIVISION, A 13 LOT SINGLE FAMILY SUBDIVISION LOCATED AT APPROXIMATELY 1000 EAST AND HYRUM BOULEVARD, HYRUM.

Dan Larsen said he received concept plan approval from the City Council on May 7, 2015 for a 13 lot single family subdivision located at approximately 100 South 1000 East/Hyrum Boulevard. The Preliminary Plat has went before City Staff and the Planning Commission. Wastewater Superintendent Kevin Maughan is requiring him to install an additional manhole for three homes, when there are other ways he could install the line. An additional manhole is unnecessary financial burden on his subdivision and he disagrees with the Kevin. If he installs the second manhole the City will have to clean the lines more frequently. He spoke with the City's Engineer Craig Neeley and Craig told him cities allow developers to install sewer lines the way he wants to all the time.

City Administrator Ron Salvesen said Hyrum City's code allows it both Kevin's and Dan's way. He suggested letting City Engineer Craig Neeley make the decision.

ACTION

Councilmember Clawson made a motion to request preliminary plat approval for Sawmill Crossing Subdivision, a 13 lot single family subdivision located at approximately 1000 East and Hyrum Boulevard with the condition that the sewer line be installed as recommended by the City Engineer. Councilmember

Allgood seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

NORMAN LARSEN, CARSMART AUTOMOTIVE REPAIR - TO REQUEST SITE PLAN APPROVAL FOR AN AUTOMOTIVE REPAIR BUSINESS AT 45 SOUTH 800 EAST, HYRUM.

Norman Larsen said he is in the process of purchasing the old Movie Gallery building at 45 South 800 East. He wants to remodel it and use it as an automotive repair shop.

City Administrator Ron Salvesen said the Planning Commission recommended site plan approval with no conditions.

ACTION Councilmember Clawson made a motion to approve the site plan for CarSmart Automotive Repair for an auto repair shop 45 South 800 East. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

ROY SAVAGE - TO REQUEST CONCEPT PLAN APPROVAL FOR HIDDEN VALLEY SUBDIVISION, A 43 LOT SINGLE FAMILY SUBDIVISION LOCATED AT APPROXIMATELY 85 SOUTH 650 WEST, HYRUM.

Roy Savage said is wants to build a 43 lot single family subdivision on the property located at approximately 85 South 650 West. Originally Todd Pignatero was going to develop this property and he named it Hidden Valley. Roy wants to keep the name Hidden Valley but is changing the design of the subdivision. He wants this to be an upper end subdivision with nicer homes. He has a variety of lot sizes.

ACTION Councilmember Clawson made a motion to approve the concept plan for Hidden Valley Subdivision a 43 lot single family subdivision located at approximately 85 South 650 West. Councilmember Clawson seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

INTRODUCTION AND ADOPTION OF ORDINANCES:

ORDINANCE 15-03 - AN ORDINANCE AMENDING SECTIONS 16.10.080, 16.10.090, 16.16.030, 16.16.120, 16.16.140, 16.20.015, 16.20.020, 16.20.030, 16.20.170, AND 16.28.020 OF TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE AS FOLLOWS: TO NO LONGER REQUIRE A MANDATORY SITE VISIT FOR PROPOSED SUBDIVISIONS; REMOVAL OF THE REQUIREMENT FOR A PUBLIC HEARING TO BE HELD ON ALL NEW SUBDIVISIONS; REMOVE THE CITY ATTORNEY AN

COUNTY SURVEYOR SIGNATURE BLOCKS ON A SUBDIVISION MYLAR; REDUCE THE AMOUNT OF A SUBDIVISION WARRANTY BOND; TO PROVIDE CONDITIONS WHEN A SUBDIVISION CONSTRUCTION BOND IS REQUIRED; AND TO ALLOW THE CITY COUNCIL TO EXTEND THE REQUIREMENT FOR A SUBDIVISION BEING DEVELOPED IN PHASES TO OBTAIN FINAL PLAT WITHIN TWO YEARS OF APPROVAL OF THE PREVIOUS PAGE.

City Administrator Ron Salvesen said the Planning Commission held a public hearing and is recommending approval of these minor amendments. The majority of the amendments are necessary to meet current state laws.

ACTION

Councilmember Felix made a motion to Ordinance 15-03 amending Sections 16.10.080, 16.10.090, 16.16.030, 16.16.120, 16.16.140, 16.20.015, 16.20.020, 16.20.030, 16.20.170, and 16.28.020 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code as follows: to no longer require a mandatory site visit for proposed subdivisions; removal of the requirement for a public hearing to be held on all new subdivisions; remove the City Attorney and County Surveyor signature blocks on a subdivision mylar; reduce the amount of a subdivision warranty bond; to provide conditions when a subdivision construction bond is required; and to allow the City Council to extend the requirement for a subdivision being developed in phases to obtain final plat within two years of approval of the previous page - with the following amendment to Section 16.28.020 delete asterisk marks on items K 1-8. Councilmember Clawson seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

ORDINANCE 15-04 - AN ORDINANCE AMENDING SECTIONS 17.24.040, 17.24.050, 17.28.030, 17.28.040, 17.30.030, 17.30.040, 17.38.030, 17.38.040, 17.44.150, 17.44.160, 17.45.250 AND 17.45.260 OF TITLE 17 (THE ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO AMEND THE FRONT AND REAR SETBACKS ON RESIDENTIAL LOTS TO 25 FEET.

City Administrator Ron Salvesen said the Planning Commission has reviewed and is recommending approval of the proposed changes. A reduction of rear and front setbacks would allow developers and builders more options for the placement and design of homes with a 25' front and rear setback rather than the current 30' requirement.

Councilmember Clawson said since January the City has reduced lot sizes from 12,000 to 9,900 square feet, reduced side yards

from 10 to 8 feet, and now reducing front and rear setbacks. He is having some remorse over approving the smaller lot sizes and is not sure lot sizes need to be looked at again. He has reviewed Nibley and Smithfield lot sizes and they require a minimum of 12,000 square feet with 30' setbacks and 15' side yards. Nibley requires that the average lot size is 14,000 square feet in a subdivision but some lots can have a minimum of 10,000 square feet. In order for developers to get smaller lots of 9,900 square feet they should build a planned unit development where additional requirements and concessions can be made.

City Administrator Ron Salvesen said the proposed setbacks will even up corner lots and front yards are usually wasted space. There is still room to park a car between the garage and sidewalk with a 25' setback.

Councilmember Allgood said the national trend is for smaller lot sizes and mixed use. There are number of cities that have very small lot sizes and they are desirable places to live.

Councilmember Clawson said he doesn't mind smaller lots but a developer should have to build a park, club house, additional landscaping, or something to make up for the smaller lot sizes and that is what Planned Unit Developments are for. He doesn't want to see tiny cookie cutter lots throughout the City.

City Administrator Ron Salvesen said the Planning Commission wants development to be fair with the same restrictions for everyone. The smaller lot sizes are sufficient to put a house and it doesn't waste space.

Councilmember Clawson said he would like the Planning Commission to look at increasing the lot size back to 12,000 square feet or some type of average lot size similar to Nibley.

ACTION

Councilmember Clawson made a motion to approve Ordinance 15-04 amending Sections 17.24.040, 17.24.050, 17.28.030, 17.28.040, 17.30.030, 17.30.040, 17.38.030, 17.38.040, 17.44.150, 17.44.160, 17.45.250 and 17.45.260 of Title 17 (the Zoning Ordinance) of the Hyrum City Municipal Code to reduce the front and rear setbacks on residential lots to 25 feet with the amendment that the rear yard be kept at 30 feet. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, and Felix voted aye. The motion passed.

OTHER BUSINESS:

**TENTATIVE ADOPTION OF THE 2015-2016 OPERATING BUDGETS AND
SETTING A DATE FOR A PUBLIC HEARING.**

ACTION

Councilmember Felix made a motion to adopt the tentative 2015-2016 Operating Budgets with the following amendment to reallocate the \$15,000 for the radio station by putting \$10,000 into parks and \$5,000 into remodel of Civic Center, and adding \$50,000 to the Capital Improvement Fund for the new City Hall; and to set the date for the public hearing for June 4, 2015. Councilmember Allgood seconded the motion and all three councilmembers present voted aye.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Felix said he is trying to find someone willing to design and build the Hyrum City Community Booth at the Cache County Fair. The Museum is hosting Hot Wheels and Hot Dogs on Saturday, May 30 and it is planning on another successful year.

Councilmember Allgood said he has arranged for the music for the Patriotic Program and now he is selecting the Distinguished Citizen and Grand Marshall.

Councilmember Clawson said there have been a few applications turned in for booths on the square for the 4th of July.

City Administrator Ron Salvesen said Legrande Johnson Construction is still trying to rezone its property in the County. He will send another letter to Cache County asking it not to approve the rezone. He is still working with Nibley and Providence on the Regional Sewer Plant and both cities still want to be joint owners with Hyrum if it's financially feasible to do so.

Councilmember Clawson said the buy-in price for the sewer plant is still at 10 million dollars. He would like the City to be able to retain full ownership of the water recycling and pump station.

City Administrator Ron Salvesen said he met with Friend Weller on the radio station and Friend understood why the City could not take on the financial liability of the project.

Mayor Miller said the General Store Cabin opens Tuesday, June 2. It will be open Tuesday, Thursday and Saturday from 10:00 a.m. to 3:00 p.m. all summer long.

ADJOURNMENT:

ACTION

There being no further business before the City Council, the Council Meeting adjourned at 7:45 p.m.

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: June 4, 2015
As written